

REMARKS

The Office Action sets forth a 4-way restriction requirement. Applicant disagrees with the restriction requirement set forth in the Office Action.

Applicant has trouble understanding the bases for restriction of the 4 "inventions" noted in the requirement. It appears that the restriction requirement is replete with errors.

For example, the Examiner stated that Inventions I (Claims 1-10) and II (Claims 11-23) are related as process and apparatus for its practice. However, Claims 1-10 are directed to an apparatus and Claims 11-23 are directed to a system!

As another example, the Examiner stated that Invention I (Claims 1-10) and III (Claim 24) are related as process and apparatus for its practice, and that the apparatus can be made by a materially different process, such as that not utilizing one or more stamping stations. However, as noted above, Claims 1-10 are directed to an apparatus, not a process. Claim 24 is directed to a system. Further, if Claim 24 corresponds to an "apparatus", Applicant failed to understand why the Examiner would feel that the "apparatus" could be made by a materially different process? Claims 1-10 and 24 are all directed to apparatus and system for producing parts. The claims does not recite an "apparatus" (e.g., stamping apparatus) made by a process!

There are numerous other examples of apparent errors in the requirement. In order for the Applicant to adequately respond to the Examiner's restriction concerns, a clear and concise basis for the restriction must be set forth in the Office Action. Applicant should not be burdened to guess what the Examiner intended, and to allocate resources to respond to an erroneous restriction requirement.

Accordingly, Applicant respectfully requests the Examiner to withdraw the restriction requirement. Should the Examiner issue another restriction requirement on a new basis, Application respectfully request a new time period be set for the new requirement.

In the interest of expediting resolution of the issues, shortly after receipt of the Office Action, the undersigned contacted the Examiner by telephone to resolve the apparent issues. However, Examiner Le indicated that he was under training and supervision at this stage, so he was not able to act independently to modify the restriction requirement. He invited the undersigned to contact his Supervisory Examiner Derris Banks. In a subsequent call to the Supervisory Examiner, he indicated that he will review the Office Action and get back to the undersigned with the result of his review. Applicant attempted to follow-up with the Supervisor Examiner in the past week, but has not received any response by the time of the present filing.

CONCLUSION

In view of all the foregoing, Applicant submits that it would not be appropriate to substantively respond to the restriction requirement with an election. Withdrawal of the restriction requirement is respectfully requested. The Examiner is invited to call the undersigned representative to discuss any outstanding issues that may not have been adequately addressed in this response.

Respectfully submitted,

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